



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes BOARD OF ZONING APPEALS

James A. Mills, Ward 3, Chairman
J. K. Lowman, Ward 2, Vice Chairman
Susan Grant, Ward 1
G. Marshall Dye, Ward 4
Ronald Clark, Ward 5
William "Bill" J. Martin, Ward 6
Justice Barber, Ward 7

Monday, February 25, 2013

6:00 PM

City Hall Council Chambers

Present: James A. Mills, Susan Grant, William "Bill" J. Martin, G. Marshall Dye, J. K. Lowman, Ronald Clark, and Justice Barber

Staff:

Rusty Roth, Development Services Manager
Patsy Bryan, Secretary to the Board
Kyethea Clark, Urban Planner
Daniel White, City Attorney

CALL TO ORDER:

Chairman Mills called the February 25, 2013 Board of Zoning Appeals meeting to order at 6:00 p.m.

MINUTES:

20130189

January 28, 2013 Board of Zoning Appeals Meeting Minutes

Review and Approval of the January 28, 2013 Board of Zoning Appeals Meeting Minutes

File #20130189 – Review and Approval of the January 28, 2013 Board of Zoning Appeals Meeting Minutes

A public hearing was held.

Mr. Martin made a motion to accept the January 28, 2013 Board of Zoning Appeals Minutes as submitted, seconded by Mr. Clark. Motion carried 7-0.

A motion was made by Board member William "Bill" J. Martin, seconded by Board member Ronald Clark, that this matter be Approved and Finalized. The

motion carried by the following vote: 7-0.

VARIANCES:

20130139 V2013-07 Sentry Security 1650 Williams Drive

V2013-07 [VARIANCE] SENTRY SECURITY request variances for property located in Land Lot 07820, District 16, Parcel 0220, 2nd Section, Marietta, Cobb County, Georgia and being known as 1650 Williams Drive. (1) Variance to allow a 6 ft. chain link fence in the front yard; (2) Variance to allow an electrically charged fence to be within 6ft. of the ground level and allow to exceed more than 20" above the height of the fence; (3) Variance to increase the height of an electrically charged fence in the front yard from 4 ft. to 10 ft.; (4) Variance to increase the height of an electrically charged fence in the side and rear yard from 8 ft. to 10ft. Ward 5.

File #20130139 (V2013-07) was presented by Mr. Roth for property located in Land Lot 07820, District 16, Parcel 0220, and being known as 1650 Williams Drive.

Public hearing was held.

Cindy Gsell with Sentry Security Systems, LLC, petitioner for the owner, Cornerstone Wall Systems, Inc., and representing TruGreen Land Care, the tenant of the property owner, is requesting the variances as stated above.

Mrs. Gsell explained that the variances are necessary to provide perimeter protection, as well as deter crime.

The public hearing was closed.

Mr. Martin made a motion, seconded by Mr. Lowman, to approve all 4 variances with the criteria being that granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. The motion carried 7-0.

A motion was made by Board member William "Bill" J. Martin, seconded by Board member J. K. Lowman, that this matter be Approved and Finalized. The motion carried by the following vote: 7-0.

20130143 V2013-08 Alton & Deanna Brown 33 Garrison Road

V2013-08 [VARIANCE] ALTON & DEANNA BROWN requests variances for property located in Land Lot 02190, District 17, Parcel 0210, 2nd Section, Marietta, Cobb County, Georgia and being known as 33 Garrison Road. (1) Variance to reduce the required parking spaces from 19 to 8; (2) Variance to allow an alternative surface treatment for accommodating vehicles up to 8,000 lbs. Ward 3.

V2013-08 [VARIANCE] ALTON & DEANNA BROWN requests variances for property located in Land Lot 02190, District 17, Parcel 0210, 2nd Section, Marietta, Cobb

County, Georgia and being known as 33 Garrison Road. (1) Variance to reduce the required parking spaces from 19 to 8; (2) Variance to allow an alternative surface treatment for accommodating vehicles up to 8,000 lbs. Ward 3.

File #20130143 (V2013-08) was presented by Mr. Roth for property located in Land Lot 02190, District 17, Parcel 0210, and being known as 33 Garrison Road.

Public hearing was held.

Mr. Alton Brown presented his request for the variances listed above. Mr. Brown and his wife, Deanna own Be Square Productions, a television and digital media production company, with a concentration in culinary programming.

Mr. Brown is moving his business from Atlanta to Marietta and will be renovating the existing house and will build a large structure which will house test kitchen and studio. Todd Angel gave an overview of the grasscrete product.

The public hearing was closed.

Chairman Mills made a motion, seconded by Mrs. Barber, to approve the variances listed above with the stipulation that the alternate surface be approved by the Public Works Department. The criteria being that the exceptional or extraordinary circumstances or conditions are applicable to the development of the site that does not apply generally to sites in the same zoning district. The motion carried 7-0.

A motion was made by Board member James A. Mills, seconded by Board member Justice Barber, that this matter be Approved as Stipulated. The motion carried by the following vote: 7-0.

20130144

V2013-09 Stephen E. Turner 54 Whitlock Drive

V2013-09 [VARIANCE] STEPHEN E. TURNER requests variance for properties located in Land Lot 12280, District 16, Parcel 0650, 2nd Section, Marietta, Cobb County, Georgia and being known as 54 Whitlock Drive. Variance to reduce rear yard setback from 30 ft. to 15 ft. Ward 3.

V2013-09 [VARIANCE] STEPHEN E. TURNER requests variance for properties located in Land Lot 12280, District 16, Parcel 0650, 2nd Section, Marietta, Cobb County, Georgia and being known as 54 Whitlock Avenue. Variance to reduce rear yard setback from 30 ft. to 15 ft. Ward 3.

File #20130144 (V2013-09) was presented by Mr. Roth for property located in Land Lot 12280, District 16, Parcel 0650, and being known as 54 Whitlock Avenue.

Public hearing was held.

Mike Pope, the architect, is requesting a variance to reduce the rear yard setback from 30 feet to 15 feet in order to construct a master bedroom at the rear of the home.

The public hearing was closed.

Chairman Mills made a motion to approve the variance as stated, seconded by Mr. Lowman, with the criteria being that granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the

public health, safety, or general welfare. The motion carried 7-0.

A motion was made by Board member James A. Mills, seconded by Board member J. K. Lowman, that this matter be Approved and Finalized. The motion carried by the following vote: 7-0.

20130145**V2013-10 Eric Taylor 2150 Cobb Parkway South**

V2013-10 [VARIANCE] ERIC TAYLOR requests variance for property located in Land Lot 07800, District 17, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia and being known as 2150 Cobb Parkway South. Variance to allow the use of ACM (Aluminum Composite Metal) panels on the side of a building facing a roadway. Ward 1.

V2013-10 [VARIANCE] ERIC TAYLOR requests variance for property located in Land Lot 07800, District 17, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia and being known as 2150 Cobb Parkway South. Variance to allow the use of ACM (Aluminum Composite Metal) panels on the side of a building facing a roadway. Ward 1.

File #20130145 (V2013-10) was presented by Mr. Roth for property located in Land Lot 07800, District 17, Parcel 0020, and being known as 2150 Cobb Parkway South.

Public hearing was held.

Eric Taylor, employed by and representing Bridges Auto Group, owners of Capital Buick GMC Cadillac on Cobb Parkway. As stated by Mr. Taylor, this variance is necessary in order to comply with a brand required image upgrade.

Scott Dougherty, Pro Building Systems, will be the builder making the necessary renovations.

Public hearing was closed.

Ms. Grant made a motion to approve the variance, seconded by Mr. Dye, with the criteria being that granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

Motion carried 7-0.

A motion was made by Board member Susan Grant, seconded by Board member G. Marshall Dye, that this matter be Approved and Finalized. The motion carried by the following vote: 7-0.

20130146**V2013-11 Nancy Greene 708 Skyview Drive**

V2013-11 [VARIANCE] NANCY GREENE requests variances for property located in Land Lot 11630, District 16, Parcel 0550, 2nd Section, Marietta, Cobb County, Georgia and being known as 708 Skyview Drive. Variance to reduce east side yard setback from 10 ft. to 0 ft. Ward 5.

V2013-11 [VARIANCE] NANCY GREENE requests variances for property located in Land Lot 11630, District 16, Parcel 0550, 2nd Section, Marietta, Cobb County, Georgia

and being known as 708 Skyview Drive. Variance to reduce east side yard setback from 10 ft. to 0 ft. Ward 5.

File #20130146 (V2013-11) was presented by Mr. Roth for property located in Land Lot 11630, District 16, Parcel 0550, and being known as 708 Skyview Drive.

Public hearing was held.

Nancy Greene is asking for the variance in order to install a two-car carport which will be connected by a covered breezeway. Randal Greene also gave supporting statements as to the request for the variance.

The public hearing was closed.

Mr. Dye made a motion to approve the variance, seconded by Mr. Lowman with the following two (2) stipulations:

- 1. That the setback shall be measured to the eaves or overhang of the roof of the carport, such that no portion of the carport structure shall encroach over the property line;*
- 2. The carport structure shall be built according to the architectural elevations attached to the submitted plans.*

The criteria being that granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

Motion carried 7-0.

A motion was made by Board member G. Marshall Dye, seconded by Board member J. K. Lowman, that this matter be Approved as Stipulated. The motion carried by the following vote: 7-0.

ADJOURNMENT:

Mr. Lowman made a motion to adjourn at 6:45 p.m., seconded by Mr. Dye.

JAMES A. MILLS, CHAIRMAN

PATSY BRYAN, SECRETARY